

### **3.14-2**

### **Contractor Personnel Suitability Requirements (January 2011)**

(a) This clause applies to the extent that this contract requires contractor employees, subcontractors, or consultants to have unescorted access to FAA:

(1) Facilities;

(2) Sensitive information; and/or;

(3) Resources regardless of the location where such access occurs, and none of the exceptions of FAA Order 1600.72A, Contractor and Industrial Security Program, Chapter 5, paragraphs 4, 6, 7 and 8 pertains.

Definitions of applicable terminology are contained in the corresponding guidance and FAA Order 1600.72A, appendix A.

(b) Consistent with FAA Order 1600.72A, the FAA Servicing Security Element (SSE) has approved designated risk levels for the positions under the contract. Those designated risk levels are:

#### **Position**

#### **Risk Level**

See attached list of Labor Categories

1 – Low Risk – Background Investigation Required.

(c) If a National Agency Check with Inquiries (NACI) or other investigation is required under paragraph (b) for a given position, the contractor will submit to the Contracting Officer (CO) a point of contact (POC) that will enter applicant data into the Vendor Applicant Process (VAP) system (vap.faa.gov). VAP is a FAA system used to process and manage security information for FAA contractor personnel. Each contract may have up to 5 POCs. Once designated, a VAP administrator will provide each POC a Web ID and password.

The type of investigation conducted will be determined by the position risk level designation for all duties, functions, and/or tasks performed and will serve as the basis for granting a favorable employment suitability authorization as described in FAA Order 1600.72A. If an employee has had a previous U. S. Government conducted background investigation which meets the requirements of Chapter 5 of FAA Order 1600.72A and Homeland Security Presidential Directive 12 (HSPD-12), it will be accepted by the FAA. However, the FAA reserves the right to conduct further investigations, if necessary. The contract may include positions that are temporary, seasonal, or under escort only. In such cases, a FAA Form 1600-77 for each specific position will be established as the investigative requirements may differ from the NACI.

The following information must be entered into VAP by the POC for each applicant requiring an investigation:

- Name;
- Date and place of birth (city and state);
- Social Security Number (SSN);
- Position and office location;
- Contract number;
- Current e-mail address and telephone number (personal or work); and
- Any known information regarding current security clearance or previous investigations (e.g. the name of the investigating entity, type of background investigation conducted, contract number, labor category (Position), and approximate date the previous background investigation was completed).

If a prior investigation exists and there has not been a 2 year break in service by the applicant, the SSE will notify the contractor that no investigation is required and that final suitability is approved.

If no previous investigation exists, the SSE will send the applicant an e-mail (this step may be delegated to VAP POC):

- Stating that no previous investigation exists and the applicant must complete a form through the Electronic Questionnaires for Investigations Processing (eQIP) system;
- Instructing the applicant how to enter and complete the eQIP form;
- Providing where to send/fax signature and release pages and other applicable forms; and
- Providing instructions regarding fingerprinting.

The applicant must complete the eQIP form and submit other required material within 15 days of receiving the e-mail from the SSE.

For items to be submitted outside eQIP, the contractor must submit the required information, referencing the contract number, to:

Regional and Center Contracts:

**FAA, New England Region  
Joint Security and Hazardous Materials Safety Office, East  
12 New England Executive Park  
Burlington, MA 01803  
Attn: Lynne Flynn, ANE-753B, 781-238-7701**

**FAA, Eastern Region  
Joint Security and Hazardous Materials Safety Office, East  
1 Aviation Plaza, Room 236  
Jamaica, NY 11434  
Attn: Personnel Security Specialist/Contracts/AEA-752  
718-553-3104**

**FAA Southern Region  
Joint Security and Hazardous Materials Safety Office, East  
1701 Columbia Avenue  
College Park, GA 30337  
Attn: ASO-750C, 404-305-6770**

(d) The contractor must submit the information required by paragraph (c) of this Clause for any new employee not listed in the Contractor's initial submission who is hired into any position identified in paragraph (b) of this Clause.

(e) The CO will provide notice to the contractor when any contractor employee is found to be unsuitable or otherwise objectionable, or whose conduct appears contrary to the public interest, or inconsistent with the best interest of national security. The contractor must take appropriate action, including the removal of such employee from working on this FAA contract, at their own expense. Once action has been taken, the contractor will report the action to the CO and SSE.

(f) No contractor employee will work in a high, moderate, or low risk position unless the SSE has received all forms necessary to conduct any required investigation and has authorized the contractor employee to begin work.

(g) The contractor must notify the CO within one (1) business day after any employee identified pursuant to paragraph (c) of this Clause is terminated from performance on the contract. This notification must be done utilizing the Removal Entry Screen of VAP. If FAA issued the terminated employee and identification card, the contractor must collect the card and submit it to the SSE.

(h) The contractor must request a report from the VAP on at least a semiannual basis in order to reconcile discrepancies and then must notify the SSE of these discrepancies as soon as possible.

(i) The CO may also, after coordination with the SSE and other security specialists, require contractor employees to submit any other security information (including additional fingerprinting) deemed reasonably necessary to protect the interests of the FAA. In this event, the contractor must provide, or cause each of its employees to provide, such security information to the SSE, to meet the requirements of paragraph (c) of this Clause.

(j) The contractor and/or subcontractor(s) must contact the Servicing Security Elements (Regional and/or Center Security Divisions) or AIN-400 at Headquarters within one (1) business day in the event an employee is arrested (detained by law enforcement for any offenses, other than minor traffic offenses) or is involved in theft of government property or the contractor becomes aware of any information that may raise a question about the suitability of a contractor employee.

(k) Failure to submit information required by this clause within the time required may be determined by the CO a material breach of the contract.

(l) If subsequent to the effective date of this contract, the security classification or security requirements under this contract are changed by the Government and if the changes cause an increase or decrease in direct contract costs or otherwise affect any other term or condition of this contract, the contract will be subject to an equitable adjustment.

(m) The contractor agrees to insert terms that conform substantially to the language of this clause, including paragraph (k) but excluding any reference to the Changes clause of this contract, in all subcontracts under this contract that involve access and where the exceptions under Chapter 5, FAA Order 1600.72A do not apply.

(n) Contractor employees who have not undergone a background investigation must be escorted at all times. In some instances, a contractor employee may be required to serve as an escort. To serve as an escort, a contractor employee must have a favorably adjudicated fingerprint check and initiated a NACI with FAA.

#### **3.14-4 Access to FAA Systems and Government-Issued Keys, Personal Identity Verification (PIV) Cards, and Vehicle Decals (April 2012)**

(a) It may become necessary for the Government to grant access to FAA systems or issue keys, PIV cards, vehicle decals, and/or access control cards to contractor employees. Prior to or upon completion or termination of the work required hereunder, the contractor must return all such Government-issued items and submit a request to terminate all user accounts on applicable FAA systems to the issuing office with notification to the Contracting Officer's Representative (COR). When contractor employees who have been issued such items are terminated or no longer required to perform the work, the Government-issued items must be returned to the Government and a request submitted for the termination of FAA system access within three (3) business days after termination of the contract or the employee. Improper use,

possession or alteration of FAA issued keys, PIV Cards and/or vehicle decals is subject to penalties under Title 18, USC 499, 506, 701, and 1030.

(b) In the event such keys, PIV Cards, or vehicle decals are lost, stolen, or not returned, the contractor understands and agrees that the Government may, in addition to any other withholding provision of the contract, withhold **\$150.00** for each key, PIV Card, and vehicle decal lost, stolen, or not returned. If the keys, PIV Cards, or vehicle decals are not returned within 30 calendar days from the date the withholding action was initiated, any amount so withheld must be forfeited by the contractor.

(c) Access to aircraft ramp/hangar areas is authorized only to those persons displaying a flight line identification card and for vehicles, a current ramp permit issued pursuant to Title 49, Part 1542, Code of Federal Regulations.

(d) The Government retains the right to inspect inventory, or audit PIV Cards, keys, vehicle decals, and access control cards issued to the contractor in connection with the contract at the convenience of the Government. Any items not accounted for, to the satisfaction of the Government will be assumed to be lost and the provisions of section (b) apply.

(e) Keys must be obtained from the COR who will require the contractor to sign a receipt for each key obtained. Lost or stolen keys, PIV Cards, vehicle decals, and access control cards must immediately be reported concurrently to the Contracting Officer (CO), COR, and the SSE. Electronic keying cards are handled in the same manner as metal keys.

(f) Each contract employee, during all times of on-site performance at the [CO to insert location] must prominently display his/her current and valid PIV card on the front portion of his/her body between the neck and waist. Each PIV card holder must not affix pins, stickers, or other decorations to the PIV.

(1) Prior to any contractor employee obtaining a PIV Card or vehicle decals, the contractor is required to enter data for each employee into the Vendor Applicant Process (VAP) as described in AMS clause 3.14-2, Contractor Personnel Suitability Requirements. From the information entered into the VAP, the SSE will determine whether final suitability can be granted due to the existence of a previous investigation, or will initiate the contractor applicant into the Electronic Questionnaires for Investigations Processing (eQIP) system so that the applicant can complete the investigative forms. Interim suitability cannot be granted until the eQIP form is completed, and fingerprints and signature pages are submitted to the SSE. When an interim is granted by the SSE, the individual may begin work under escort until their OPM fingerprint check has been returned and successfully adjudicated. Once the OPM fingerprint check has been successfully adjudicated, they can then be badged. If the contract employee requires a PIV Card, a fingerprint check must be completed and favorably adjudicated by the SSE prior to approval or issuance of the PIV card.

(2) To obtain the PIV Card, contractor employee must submit an identification Card/Credential Application (DOT 1681) signed by the contractor employee and by the authorized trusted agent (when applicable) and also by the authorized sponsor to the CO or to the COR. The DOT 1681 must contain, as a minimum, under the "Credential Justification" heading, the name of the contractor/company, the contract number or the appropriate acquisition identification number, the expiration date of the contract or the task (whichever is sooner), and the required signatures. The contractor will be notified when the DOT 1681 has been approved and is ready for processing by the SSE. Arrangements for processing the identification cards, including photographs and lamination can be made by the contacting the SSE.

(3) The contractor must contact the SSE to obtain the procedures that the contractor's employees must utilize to obtain their PIV Card.

(g) The contractor is responsible for ensuring final out-processing is accomplished for all departing contractor employees. Final out-processing must be accomplished by close of business the final workday

of the contractor employee or the next day under special conditions. The SSE must be notified in writing and ensure that all FAA media, including the PIV card, are returned to the SSE.

(End of Clause)

### Labor Categories that may Require Badging

Labor Category	Category Description
Program Manager	Performs program management functions of large, multi-discipline programs, projects, or assignments. Responsible for resources, technical direction, cost and schedule performance, and quality.
Project Manager	Provides leadership and management for environmental and/or occupational safety and health (EOSH) and other technical directives for a wide variety of program areas and supporting projects. Possesses a comprehensive view of functional requirements of programs and projects and provides senior functional leadership across one or more program areas. Develops approaches for multiple project execution and provides EOSH subject matter expertise to the program. Oversees development of deliverables, staffing, budgeting, cost estimating, and financial management.
Research Specialist	Plans, organizes, and conducts research in support of the program. Searches sources such as primary and secondary references and analyzes information and statistical data to prepare reports and studies for use by the program.
Training Professional	Assesses, designs, and conceptualizes training approaches, objectives, plans, tools, aids, curriculums, and other items related to training. Identifies the training approach and develops and revises training courses. Prepares training materials and trains staff by conducting classroom courses, workshops, and seminars.
Geologist	Supports drilling efforts and characterization activities. Understands soil characterization, hydrology, and ground water flow for investigative studies.
Senior Fire Protection Professional	Provides fire protection engineering expertise to the program. Provides technical direction and input for problem definition, approach methodology, analysis of findings, recommendations, and implementation for complex or extremely complex projects and assignments.
Junior Fire Protection Professional	Provides fire protection engineering consulting services to the program. Possesses a specialized view of functional requirements associated with fire protection engineering. Develops approaches for data gathering, analysis, and deliverable development. Develops solutions and strategies, and determines and presents alternative courses of action to optimize program effectiveness within the fire protection engineering area specialization.
Senior Technical Professional	Provides recognized expertise in one or more of the EOSH technical programs. Provides technical and managerial direction and input for problem definition, approach methodology, analysis of findings, recommendations, and implementation for complex or extremely complex projects and assignments.
Field Technician	Performs sampling, testing, and oversees installation of equipment or systems. May prepare charts and graphs for program reports and assists the program to support functions required in the field.
Senior Safety Professional	Provides occupational safety and health (OSH) consulting services to the program and supporting projects. Possesses a broad view of functional requirements of programs and projects and provides functional knowledge across one or more program areas. Develops approaches for task execution and provides OSH subject matter expertise to the program. Develops solutions and strategies, and determines and presents alternative courses of action to optimize program effectiveness.

Junior Safety Professional	Provides OSH consulting services to the program. Possesses a specialized view of functional requirements of the program and provides functional knowledge for one program area. Develops approaches for data gathering, analysis, and deliverable development. Develops solutions and strategies, and determines and presents alternative courses of action to optimize program effectiveness within the OSH program area specialization.
Senior Safety Technician	Provides OSH consulting services to the program and leads tasks. Leads data gathering, analysis, and deliverable development for tasks. Assists with developing approaches for data gathering, analysis, and deliverable development. Develops solutions and strategies, and determines and presents alternative courses of action to optimize program effectiveness within the OSH program area specialization.
Junior Safety Technician	Provides OSH consulting services to the program. Implements approaches for data gathering, analysis, and deliverable development. Assists in developing solutions for program deliverable completion. Assists with the development of policy, orders, and training documents.
Senior Environmental Professional	Provides environmental consulting services to the program and supporting projects. Possesses a broad view of functional requirements of programs and projects and provides functional knowledge across one or more program areas. Develops approaches for task execution and provides environmental subject matter expertise to the program. Develops solutions and strategies, and determines and presents alternative courses of action to optimize program effectiveness.
Junior Environmental Professional	Provides environmental consulting services to the program. Possesses a specialized view of functional requirements of the program and provides functional knowledge for one program area. Develops approaches for data gathering, analysis, and deliverable development. Develops solutions and strategies, and determines and presents alternative courses of action to optimize program effectiveness within the environmental program area specialization.
Senior Environmental Technician	Provides environmental consulting services to the program and leads tasks. Leads data gathering, analysis, and deliverable development for tasks. Assists with developing approaches for data gathering, analysis, and deliverable development. Develops solutions and strategies, and determines and presents alternative courses of action to optimize program effectiveness within the environmental program area specialization.
Junior Environmental Technician	Provides environmental consulting services to the program. Implements approaches for data gathering, analysis, and deliverable development. Assists in developing solutions for program deliverable completion. Assists with the development of policy, orders, and training documents.